

Exhibit A

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September 18, 2007

OUR FILE NUMBER
735355-001

VIA EMAIL AND U.S. MAIL

Mr. Roger Rapoport
RDR Books
1487 Glen Avenue
Muskegon, MI 49441
roger@rdrbooks.com

WRITER'S DIRECT DIAL
(212) 326-2051

WRITER'S E-MAIL ADDRESS
dcendali@omm.com

VIA EMAIL

Mr. Steven Vander Ark
svderark@i2k.com

Re: The Harry Potter Lexicon

Dear Mr. Rapoport and Mr. Vander Ark:

We represent J.K. Rowling and Warner Bros. Entertainment Inc. in the United States in connection with the extremely popular *Harry Potter* series of books for children, which includes the books *Harry Potter and the Sorcerer's Stone* (published as *Harry Potter and the Philosopher's Stone* in the United Kingdom), *Harry Potter and the Chamber of Secrets*, *Harry Potter and the Prisoner of Azkaban*, *Harry Potter and the Goblet of Fire*, *Harry Potter and the Order of the Phoenix*, *Harry Potter and the Half-Blood Prince*, and *Harry Potter and the Deathly Hallows* (the "Potter Books" or "Series"). As you must be aware, the Potter Books are an extremely valuable literary property with enormous potential for ancillary licensing. Our clients, who collectively own the exclusive rights to the Series, are understandably concerned that nothing be done that adversely affects the value of this property, unfairly free-rides on its success, or impinges on the integrity of Ms. Rowling's original fictional creation. Our clients have already taken successful legal action against several infringing websites, sellers of infringing merchandise, and infringing books, which action has resulted in such goods and services being withdrawn from the marketplace.

As reflected in Neil Blair's email to you on September 12, 2007, our clients have learned that RDR Books plans to publish a 400-page book by Steven Vander Ark based on the Series, entitled *The Harry Potter Lexicon*, in late October 2007 (the "Book"). According to the

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advertisement in the PublishersMarketplace.com (attached), the Book will contain thousands of listings about the Series compiled by Mr. Vander Ark. Further, RDR Books has sold the rights to the Book in England, France, Canada and Australia and is offering for sale the world rights to the work with the exception of those countries.

Based on the description in the advertisement and the content of Mr. Vander Ark's website (hp-lexicon.org), *The Harry Potter Lexicon* appears to constitute an unauthorized derivative work and violates our clients' rights under United States copyright law. For example, Mr. Vander Ark's website contains alphabetical glossaries of "fictional facts" from the *Potter* Books, with little or no independent analysis or commentary (e.g., listings and descriptions of fictional places, people, items, and creatures from the "Wizarding World" and fictional people and places from the "Muggle World"). Accordingly, we are concerned that the use of this derivative material in the Book constitutes copyright infringement in violation of our clients' under United States law. See 17 U.S.C. § 106(2) (granting exclusive rights to copyright owner to prepare derivative works based upon the copyrighted work). See, e.g., *Twin Peaks Productions, Inc. v. Publications Int'l, Ltd.*, 996 F.2d 1366, 1372-73 (2d Cir. 1993) (guide to "Twin Peaks" containing, *inter alia*, detailed plot summaries and trivia questions, was infringement); *Castile Rock Entertainment v. Carol Publishing Group, Inc.*, 955 F. Supp. 260 (S.D.N.Y. 1997) (granting summary judgment for producers of *Seinfeld* television series against author and publisher of book containing trivia questions about the program, thereby reproducing information derived from original *Seinfeld* episodes). In addition, our clients are concerned that the public may be misled to believe that the Book has been authorized by or is affiliated with them.

We note that this type of infringement is particularly troublesome and inappropriate as Ms. Rowling has long stated that she wants to create a companion book to the Series and perhaps donate such proceeds to charity. Thus, Ms. Rowling is particularly interested in protecting her rights in this regard.

Accordingly, we ask that you cease your efforts to publish the Book. In addition, we request that you forward this letter to the parties that have purchased the rights to the Book in England, France, Canada and Australia and identify them to us so that they may be contacted directly. Please contact me or my colleague Johanna Schmitt at 212-326-4469 with your response.

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Nothing contained in this letter is intended as or should be construed to be a waiver or relinquishment of any right or remedy held by our clients, including, but not limited to, such rights in England, France, Canada, and Australia, all of which are hereby expressly reserved.

Sincerely,



Dale M. Cendali
of O'MELVENY & MYERS LLP

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* new feature

Rights news/offering detail

The Harry Potter Lexicon 10 Sept 07

Author: Steve Vander Ark

Description: British, French, Australian and Canadian rights have already been sold to RDR Books' encyclopedia on the wonderful world of all 7 Harry Potter books. The 400 page Harry Potter Lexicon, due out in late October, is the first and only complete critical reference work on this wonderful series. Thousands of fascinating updated listings compiled by Steve Vander Ark, editor of one of the world's favorite Harry Potter fan sites (over 25 million visitors annually), make this the book that academics, readers of all ages, editors, critics, reviewers, and filmmakers prize.

Rights available: World Rights except Britain, France, Australia and Canada

Rights already sold: British, French, Canadian, Australian

Other information: Author Steve Vander Ark is an international celebrity in the Harry Potter world, keynoting academic conferences, featured on A & E, the BBC and the Today Show and regularly interviewed on all things Potter. His lengthy A & E interview will be included as an extra on the forthcoming DVD of Harry Potter and The Order Of The Phoenix.

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Item number: 4902

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